

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

SPRINT COMMUNICATIONS COMPANY L.P.	)	
	)	
Application for authority to acquire and operate	)	
additional satellite facilities for provision of service	)	File No. ITC-214-20010615-00340
between the United States and Cuba.	)	
	)	
	)	
	)	
	)	

**ORDER AND AUTHORIZATION**

**Adopted: October 5, 2001**

**Released: October 18, 2001**

By the Deputy Chief, Telecommunications Division:

1. We have under consideration the above-captioned uncontested application, filed by Sprint Communications Company, L.P. (Sprint), requesting authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to lease and operate additional satellite facilities for service between the United States and Cuba. Sprint seeks authority to upgrade an existing private line circuit from 2 Mbps to 6 Mbps. Sprint is currently authorized by the Commission to provide service directly to Cuba.<sup>1</sup>

2. The application was placed on public notice on June 22, 2001. We informed the Department of State of the application.<sup>2</sup> No opposing comments were received.<sup>3</sup> Upon consideration of the application and in view of the foregoing, we find that the present and future public convenience and necessity require a grant of the application.

3. Accordingly, IT IS ORDERED that application File No. ITC-214-20010615-00340 IS GRANTED and Sprint is authorized to lease and operate additional satellite facilities to upgrade an existing private line circuit from 2 Mbps to 6 Mbps between the United States and Cuba via an INTELSAT AOR satellite.

4. IT IS FURTHER ORDERED that Sprint's tariffs must state that its customers may not resell

<sup>1</sup> See *Wiltel International, Inc., et al*, 9 FCC Rcd 5806 (1994); *Sprint Communications L.P.*, 9 FCC Rcd. 2827 (1994); *Sprint Communications L.P.*, File No. ITC-214-19981021-00739, DA 99-227 (rel. Jan. 26, 1999); *Sprint Communications L.P.*, File No. ITC-214-19990316-00141, DA 99-903 (rel. May 17, 1999).

<sup>2</sup> Letter from George Li, Deputy Chief, Telecommunications Division, International Bureau, Federal Communications Commission, to Steven Lett, United States Coordinator, Acting, Office of International Communications and Information Policy, U.S. Department of State (June 22, 2001).

<sup>3</sup> The Department of State approved the grant of the application on October 5, 2001. See letter to Donald Abelson, Chief, International Bureau, Federal Communications Commission, from David A. Gross, United States Coordinator, Office of International Communications and Information Policy, U.S. Department of State (Oct. 5, 2001).

international private lines or connect them to the public switched network at either the U.S. or foreign end, or both, for the provision of international switched basic services, unless the Commission has authorized the provision of switched services over private lines to Cuba or the carrier is exchanging switched traffic with a foreign carrier that the Commission has determined lacks market power in Cuba. See 47 C.F.R. §§ 63.16, 63.22(e), 63.23(d). A foreign carrier lacks market power for purposes of this rule if it does not appear on the Commission list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points. This list is available at [http://www.fcc.gov/Bureaus/International/Public\\_Notices/1999/da990809.txt](http://www.fcc.gov/Bureaus/International/Public_Notices/1999/da990809.txt). See generally 1998 Biennial Regulatory Review – Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999), paras. 12-15, 102-109.

5. IT IS FURTHER ORDERED that Sprint shall comply with Section 63.21 of the Commission's Rules, 47 C.F.R. 63.21.

6. IT IS FURTHER ORDERED that Sprint shall submit reports on or before June 30, and December 31, of each year, and on the one-year anniversary of the notification of the grant of this application in the Federal Register, indicating the number of circuits activated by facility.

7. IT IS FURTHER ORDERED that this authorization is subject to Sprint's obtaining all necessary licenses and authorizations from the Departments of Treasury and Commerce.

8. IT IS FURTHER ORDERED that this Order is subject to revocation without a hearing in the event the Department of State or the Federal Communications Commission determines that the continuation of communications between the United States and Cuba is no longer in the national interest.

9. This Order is issued under Section 0.261 of the Commission's Rules and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules may be filed within 30 days of the date of public notice of this Order (see Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

George Li  
Deputy

Chief, Telecommunications Division  
International Bureau